

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

Suits - Arbitration - Settlement of the disputes between the Department and Sri Dega Narasimha Reddy, Contractor for an amount of Rs.30.00 lakhs as full and final settlement according to the directions of the Hon'ble High Court in A.S.No.706 of 2005, dated 10-06-2008 in respect of the work Formation of Embankment from KM 4.00 to KM 5.30 upto + 249 level Velugodu Balancing Reservoir awarded vide L.S.Agt.No.21 SE/87-88, dated 05-12-1987 T.G.P. Circle, Nandyal, Kurnool District - Sanction - Orders - Issued.

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IRRIGATION AND COMMAND AREA DEVELOPMENT(ARB)DEPARTMENT

G.O.Ms.No. 45

Dated the 7 May, 2010.

Read the following:

1. From Sri Dega Narasimha Reddy, Contractor, Nellore, repn. Dt.31.07.2008
2. Govt.Memo.No.30102/ARB.08, dated 05-01-2009.
3. From the ENC, Med.Irrgn., Hyd., Lr.No.ENC/Med./DCEIII/ OT1/ARB-15/ 2008, dated 28-05-2009.
4. From the ENC, Med.Irrgn., Hyd., Lr.No.ENC/Med./DCEIII/ OT1/ARB-15/ 2009, dated 30-06-2009.

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O R D E R:

Sri Dega Narasimha Reddy, Contractor, Nellore in the reference first read above, has stated that the Hon'ble High Court has ordered to make a representation for settlement duly resolving the controversial issues by way of dialogue amicably. Since the Government has already formed the Arbitration Conciliation Committees, he has requested to instruct to the concerned to refer the issue for early settlement.

2. Based on the representation of the Contractor, in the Govt. Memo. second read above, the case has been referred to the Conciliation Committee for Rayalaseema Region for amicable settlement with the Contractor.

3. The Engineer-in-Chief, Medium Irrigation, Hyderabad has furnished the report of the Conciliation Committee dated 12-05-2009. Wherein, after negotiation with the Contractor, the Committee has recommended for an amount Rs.30,61,543/- and the Committee has also obtained and furnished the acceptance of the Contractor.

4. In compliance with the directions of the Hon'ble High Court of Andhra Pradesh in A.S.No.706 of 2005, dated 20-06-2008 and based on the representation of the Contractor, the Principal Secretary to Government, I & CAD Department has held final conciliation with the Contractor on 29-06-2009 and settled the dispute for an amount of Rs.30,00,000/- as full and final settlement. Accordingly, the Engineer-in-Chief, Medium Irrigation, Hyderabad has obtained and furnished an affidavit in this regard, wherein, while agreeing the conciliation with the Principal Secretary, the Contractor has declared that he will withdraw all his legal proceedings in the A.P. High Court or in any other Courts, if the above amount including interest amounting to Rs.30.00 lakhs is paid to him in token of settlement of the arbitration claims pending in the courts in this case.

5. After careful examination of the matter, Government hereby sanction an amount of Rs.30,00,000/- (Rupees thirty lakhs only) as full and final settlement of the disputes between the Department and Sri Dega Narasimha Reddy, Contractor, as per the directions of the Hon'ble High Court in A.S.No.706 of 2005, dated 10-06-2008, in respect of the work Formation of Embankment from KM 4.00 to KM 5.30 upto + 249 level Velugodu Balancing Reservoir awarded vide L.S.Agt.No.21 SE/87-88, dated 05-12-1987 T.G.P. Circle, Nandyal, Kurnool District.

6. The above sanctioned amount shall be debited to the following Head of Account:

4701- COL on Major & Medium Irrigation – (01) – Major Irrigation – (Commercial) SH (123) TGP – 26 D & A – 530 / 531 – Other Expenditure”..

7. The Chief Engineer, (Projects), Irrigation, Kurnool, is directed to arrange to pay the amount sanctioned at para (5) above to Sri Dega Narasimha Reddy, Contractor, duly deducting the amounts that are recoverable on whatsoever account.

8. This order issues with the concurrence of Finance (W&P) Department, vide their U.O.No. 2055/F7(A2)/10-1, dated: 30-04-2010.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER
PRL.SECRETARY TO GOVERNMENT

To
The Chief Engineer (P), Irrigation, Kurnool.
The Director of Works Accounts, A.P., Hyderabad.
Sri Dega Narasimha Reddy, Contractor, 16/1733, Ramamurthy Nagar, Nellore-524003
Phone Nos. 0861 2331741, 9490125775.

Copy to:
Finance (W&P) Dept. (with a request to release the LOC for the sanctioned amount).
I & CAD (P&B) Department.
The Accountant General, A.P., Hyderabad.
The Learned Advocate General, High Court of A.P., High Court Buildings, Hyderabad.
The Government Pleader for Arbitration, High Court of A.P., High Court Buildings, Hyderabad.
S.C. S.F.

//Forwarded::Byorder//

SECTION OFFICER